

Texaco Inc./Hershey Foods Corporation .....	RF321-17106	11/16/94
Texaco Inc./Richmond Texaco et al .....	RF321-20188	11/14/94
Texaco Inc./Rodriguez Service Station et al .....	RF321-20852	11/18/94
Texaco Inc./Shorts Oil Co., Inc .....	RF321-20443	11/14/94
T.B. Smith Co., Inc .....	RF321-20651	.....
Texaco Inc. V&F Svara, Inc .....	RF 321-20946	11/18/94
V&F Svara, Inc .....	RF321-20951	.....
Texaco Inc./Windsor Texaco .....	RF321-16854	11/17/94
Delsea Texaco Service Station .....	RF321-16855	.....
Burlington Texaco .....	RF321-16856	.....
Woodbury Service Station .....	RF321-16857	.....

**Dismissals**

The following submissions were dismissed:

Name	Case No.
Cass County, MN .....	RF272-86744
Edmonson County Trucking Co .....	RF300-21532
General Motors Saginaw Division .....	RF272-93270
Homer Tesoro Service .....	LEE-0165
Jessee Rogers Sand & Gravel .....	RF272-95291
L.P. Shanks Company .....	RF272-94627
Mt. Sinai School of Medicine .....	RF321-20801
Philip Morris Management Corp .....	RF272-93294
Rodriguez Texaco .....	RF321-20642

Copies of the full text of these decisions and orders are available in the Public Reference Room of the Office of Hearings and Appeals, Room 1E-234, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585, Monday through Friday, between the hours of 1 p.m. and 5 p.m., except federal holidays. They are also available in *Energy Management: Federal Energy Guidelines*, a commercially published loose leaf reporter system.

Dated: February 28, 1995.

**George B. Breznay,**  
*Director, Office of Hearings and Appeals.*  
 [FR Doc. 95-6013 Filed 3-9-95; 8:45 am]  
 BILLING CODE 6450-01-P

**Issuance of Decisions and Orders During the Week of January 9 Through January 13, 1995**

During the week of January 9 through January 13, 1995, the decisions and orders summarized below were issued with respect to applications for relief filed with the Office of Hearings and Appeals of the Department of Energy. The following summary also contains a list of submissions that were dismissed by the Office of Hearings and Appeals.

**Refund Applications**

*Gulf Oil Corporation/Donati's Auto Repair, 1/9/95, RF300-15980*

The DOE issued a Decision and Order concerning an Application for Refund submitted in the Gulf Oil Corporation special refund proceeding by the owner of Donati's Auto Repair, a retailer of Gulf petroleum products. The applicant requested reconsideration of an Application for Refund that he filed in a previous Gulf refund proceeding. The DOE had dismissed that application. The applicant filed his request nearly five years after his previous Application was dismissed, and did not provide any reason as to why his claim should be reconsidered. In addition, the DOE had disbursed all of the remaining funds in the proceeding's escrow account pursuant to the provisions of the Petroleum Overcharge Distribution and Restitution Act of 1986. Accordingly, the DOE determined that it would not be appropriate to reopen the earlier proceeding and denied the Application.

*Shell Oil Company/Briggs Transportation Company; Texaco Inc./Briggs Transportation Company 1/11/95, RF315-10286, RF321-21054*

The DOE issued a Supplemental Order rescinding refunds granted to Brigg Transportation Company (Briggs) in the Shell Oil Company and Texaco Inc. special refund proceedings. Prior to the filing of Briggs' refund applications, Briggs had filed for bankruptcy. The

Trustee in Bankruptcy authorized a private filing service, LK, Inc. (LK), to file the two applications. Pursuant to the Trustee's request, the DOE ordered each refund check to be made payable to Briggs and mailed to LK. When LK received each check, it deposited the check in its account, retained its commission and sent the remainder to the Trustee. The Trustee later informed the DOE that because the Bankruptcy Court found the proposed distribution to Briggs' creditors to be inefficient, the refunds should be returned to the DOE. The Trustee also enclosed Briggs' share of the two refunds. Accordingly, the DOE rescinded the refunds issued to Briggs and ordered the two checks received from the Trustee deposited in the Texaco Inc. and Shell Oil Company escrow accounts. Further, it ordered LK to repay its commissions, but did not assess interest on the commissions for the period of time during which LK had use of these funds.

**Refund Applications**

The Office of Hearings and Appeals issued the following Decisions and Orders concerning refund applications, which are not summarized. Copies of the full texts of the Decisions and Orders are available in the Public Reference Room of the Office of Hearings and Appeals.

Atlantic Richfield Company/Burholme Fuel Oil Co. et al .....	RF304-13599	01/12/95
Atlantic Richfield Company/Kim's Arco .....	RF304-15466	01/12/95
Butte Public Schools et al .....	RF272-79708	01/11/95
Campbell's Auto Express et al .....	RF272-97029	01/11/95
Carlton Towers et al .....	RF272-77813	01/09/95
Chickasaw Cnty Secondary Road Department .....	RF272-96151	01/09/95

Chickasaw Cnty Secondary Road Department .....	RF272-97101	
City of Venice .....	RF272-94410	01/11/95
Lexington Electric Systems .....	RF272-94456	
KSI Trucking .....	RA272-63	01/12/95
Metropolitan Petroleum & Fuel/Abelardo Obregon .....	RF349-20	01/09/95
Orleans Trans Service et al .....	RF272-94966	01/11/95

**Dismissals The following submissions were dismissed:**

Name	Case No.
Altamont Community Unit School District 10 .....	RF272-79620
Avon Products, Inc .....	RF272-86689
Browning & Herdrich Oil Corp .....	RF321-20539
Citizens Gas & Coke Utility .....	RF321-20426
Consumer and Professional Products .....	RF321-20785
Deep Creek Texaco .....	RF321-7714
Del's Texaco Service .....	RF321-16298
First and Main Texaco .....	RF321-20893
FMC Corporation .....	RF321-20777
Fort Findlay Texaco .....	RF321-9192
Freeway Texaco .....	RF321-20894
Georgia Pacific .....	RF321-20786
Globe Union/Johnson Controls .....	RF321-20795
Grow Group, Inc .....	RF321-20784
Hale Area Schools .....	RF272-79622
Hill's Texaco Service Center .....	RF321-8055
Johnson County School District .....	RF272-78720
Keller Industries .....	RF321-20803
Kelseyville Unified .....	RF272-79726
Lookout Heights Texaco .....	RF321-10444
McKenna & Cuneo .....	VFA-0016
New ULM-Hanska School District .....	RF272-79720
New York City Housing Authority .....	RF321-20799
Nick Montallegro .....	RF304-14735
North Muskegon Public Schools .....	RF272-79623
Oil Chem, Inc .....	RF321-20621
Perryville School District .....	RF272-78938
Pleasant Point Resort .....	RF321-12933
Pyramid Supply, Inc .....	RF321-12185
Riggs Oil Co., Inc .....	RF321-20448
S.C. Loveland Co., Inc .....	RF272-89221
Savannah River Operations Office .....	VSO-0010
Scotus Central Catholic Secondary School .....	RF272-78187
Spearfish Texaco .....	RF321-530
Third and Main Texaco .....	RF321-20923
Top Deck Texaco .....	RF321-20924
Tri-City Gas, Inc .....	RF272-89756
Valley Rentals/Tri Rentals .....	RF304-14742
Walker's Texaco .....	RF321-19993
Williamsburg Community School District .....	RF272-79757

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Dated: February 28, 1995.

**George B. Breznay,**

*Director, Office of Hearings and Appeals.*

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**Issuance of Decisions and Orders  
During the Week of February 6  
Through February 10, 1995**

During the week of February 6 through February 10, 1995 the decisions and orders summarized below were issued with respect to applications for relief filed with the Office of Hearings and Appeals of the Department of Energy. The following summary also contains a list of submissions that were dismissed by the Office of Hearings and Appeals.

**Personnel Security Hearing**

*Albuquerque Operations Office, 2/9/95,  
VSO-0005*

An Office of Hearings and Appeals Hearing Officer issued an opinion concerning the continued eligibility of an individual for access authorization under 10 C.F.R. Part 710, "Criteria and Procedures for Determining Eligibility for Access to Classified Matter or Special Nuclear Material." After considering the record in view of the standards set forth in Part 710, the Hearing Officer found that the DOE Operations Office had presented sufficient derogatory information concerning the individual's abuse of